



011604

15750 U.S. PTO

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  (Only for new nonprovisional applications under 37 C.F.R. 1.53(b))	Attorney Docket No.	414671
	First Inventor	W. Thomas Cathey, Jr.
	Title	EXTENDED DEPTH OF FIELD OPTICAL SYSTEMS
	Express Mail Label No.	EV 386864914 US

<b>APPLICATION ELEMENTS</b> See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria VA 22313-1450
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages <u>23</u>] (preferred arrangement set forth below) - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R &amp; D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>36</u>]</p> <p>5. Oath or Declaration [Total Sheets <u>2</u>] a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for a continuation/divisional with Box 18 completed) i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p>	<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> Paper c. <input type="checkbox"/> Statements verifying identity of above copies</p> <p><b>ACCOMPANYING APPLICATIONS PARTS</b></p> <p>9. <input type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input checked="" type="checkbox"/> Power of (when there is an assignee) Attorney</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input checked="" type="checkbox"/> Information Disclosure <input type="checkbox"/> Copies of IDS Statement (IDS)/PTO-1449 Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input checked="" type="checkbox"/> Other: Transmittal Letter notifying of concurrent RCE; Copies of RCE Transmittal Form and Petition filed in prior application; Substitute for Form 1449A/PTO; Certificate of Mailing, and Return Postcard</p>

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09 / 070,969

Prior application information: Examiner CHANG, Audrey Y.

Art Unit: 2872

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

<b>19. CORRESPONDENCE ADDRESS</b>					
<input checked="" type="checkbox"/> Customer Number		<u>30955</u>		OR <input type="checkbox"/> Correspondence address below	
Name					
Address					
City		State		Zip Code	
Country		Telephone		Fax	
Name (Print/Type)		Dan Cleveland, Jr.		Registration No. (Attorney/Agent)	
Signature				Date <u>1/16/04</u>	

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



011604

19270 U.S. PTO  
10/758740

**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 856**Complete if Known**

Application Number	Unknown
Filing Date	(Herewith)
First Named Inventor	W. Thomas Cathey, Jr.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	414671

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order☒ Deposit Account:

Deposit Account Number 12-0600

Deposit Account Name Lathrop &amp; Gage L.C.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 770)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	11	-20 **	=	0	X	18	=	0
Independent Claims	4	-3 **	=	1	X	86	=	86
Multiple Dependent	0				X	145	=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 86)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

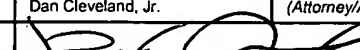
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Dan Cleveland, Jr.	Registration No. (Attorney/Agent)	36,106	Telephone	(720) 931-3000
Signature		Date	11/16/04		

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT OFFICE**

In re application of: W. Thomas Cathey, Jr., et al.  
Application No.: Unknown                      Group No.: Unknown  
Filed: (Herewith)                      Examiner: Unknown  
  
For: EXTENDED DEPTH OF FIELD OPTICAL SYSTEMS

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**MAIL STOP PATENT APPLICATION**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER INFORMING THE OFFICE OF CONCURRENTLY-  
FILED RCE IN PARENT APPLICATION**


Dear Sir:

Please note that Applicants have concurrently filed a Request for Continued Examination (RCE), along with the required Petition for Three Month Extension of Time and necessary fees, in U.S. Application Serial No. 09/070,969 (Hereinafter, the "969 Application). The above-referenced application is a Continuation of the '969 Application.

The RCE and Petition (copies attached), along with payment of the necessary fees, serve to confirm the "pending" status of the '969 Application, thus fulfilling the copendency requirement under 37 CFR 1.78(a)(2)(ii).

Should any questions arise regarding the above-referenced Continuation Application or the '969 Application, the Examiner is encouraged to telephone the undersigned attorney.

Respectfully submitted,

  
\_\_\_\_\_  
Dan Cleveland, Jr., Reg. #36,106  
Lathrop & Gage, L.C.  
4845 Pearl East Circle, Suite 300  
Boulder, CO 80301  
Telephone: (720) 931-3012  
Facsimile: (720) 931-3001

Practitioner's Docket No. 414671

**PATENT**

**IN THE UNITED STATES PATENT OFFICE**

In re application of: W. Thomas Cathey, Jr., et al.

Application No.: Unknown

Group No.: Unknown

Filed: (Herewith)

Examiner: Unknown

For: EXTENDED DEPTH OF FIELD OPTICAL SYSTEMS

**MAIL STOP PATENT APPLICATION**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING**  
**via EXPRESS MAIL**

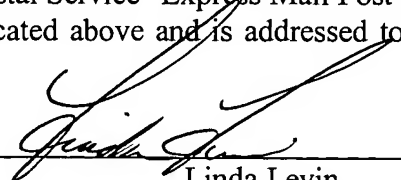
Express Mail Label No. EV 386864914 US

Date of Deposit: 16 January 2004

I hereby state that the following *attached* papers:

1. Utility Patent Application Transmittal Form (1 page)
2. Fee Transmittal in duplicate, authorizing charges to Deposit Account 12-0600 (2 pages)
3. Transmittal Letter informing of concurrently filed RCE and Petition in parent case (1 page)
4. Copy of the RCE transmittal form filed in parent case (1 page)
5. Copy of the Petition for Three Month Extension of Time filed in parent case (1 page)
6. Specification (20 pages); Claims #1-11 (2 pages); Abstract (1 page); Drawings, Figs. 1-49 (36 pages)
7. Copy of Declaration from prior application (2 pages)
8. Copy of Power of Attorney from prior application (1 page)
9. Information Disclosure Statement Transmittal (1 page)
10. Substitute for Form 1449A/PTO (7 pages);
11. Certificate of Mailing (1 page), and
12. Return Postcard (1)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

  
Linda Levin